

TODD C. TORAL (CA Bar No. 197706)
todd.toral@dlapiper.com
KATHLEEN S. KIZER (CA Bar No. 246035)
kathleen.kizer@dlapiper.com
VISHALI SINGAL (CA Bar No. 267481)
vishali.singal@dlapiper.com
ALEC CIERNY (CA Bar No. 275230)
alec.cierny@dlapiper.com
DLA PIPER LLP (US)
555 Mission Street, Suite 2400
San Francisco, CA 94105-2933
Tel: 415.836.2500
Fax: 415.836.2501

Attorneys for Plaintiff
SAEED J. IBRAHIM

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

SAEED J. IBRAHIM,
Plaintiff,

v.

CITY AND COUNTY OF SAN
FRANCISCO and DOES 1 to 20,
Defendants.

CASE NO. C 11-01695-RS

**STIPULATION AND ~~PROPOSED~~
ORDER TO FILE FIRST AMENDED
COMPLAINT**

[Fed. R. Civ. Proc. 15(a)(2)]

Subject to the approval of the Court, plaintiff Saeed J. Ibrahim (“Mr. Ibrahim”) and defendant City and County of San Francisco (“Defendant”) stipulate and agree as follows:

WHEREAS:

A. Mr. Ibrahim filed a pro per complaint on February 17, 2011 (“Complaint”) in the Superior Court of California, County of San Francisco, in the form of a three-page Judicial Council of California Complaint form.

B. On April 6, 2011, Defendant removed the aforementioned action, San Francisco

Superior Court Case No. CGC-11-508371, to this Court pursuant to 28 U.S.C. §§ 1441 and 1446. Defendant's Notice of Removal erroneously referred to the Complaint as the "First Amended Complaint." The original Complaint was not previously amended.

C. On April 27, 2011, Defendants filed a Motion for Judgment on the Pleadings and Motion for a More Definite Statement.

D. On July 1, 2011, this Court entered an Order Referring Litigant to the Federal Pro Bono Project and Staying Proceedings Pending Appointment of Counsel.

E. On August 19, 2011, this Court appointed Todd Toral, Kathleen Kizer, Alec Cierny and Vishali Singal, of DLA Piper LLP (US), as counsel for Mr. Ibrahim.

F. Since their appointment by this Court, Mr. Ibrahim's counsel has determined that justice requires that the Complaint be amended.

NOW, THEREFORE, subject to the approval of the Court, the parties stipulate and agree as follows:

1. Mr. Ibrahim may file his First Amended Complaint pursuant to Federal Rule of Civil Procedure 15(a)(2).

IT IS SO STIPULATED.

Dated: September 22, 2011

DLA PIPER LLP (US)

By: /s/ Todd C. Toral

Todd C. Toral (CA Bar No. 197706)
Email: todd.toral@dlapiper.com
DLA PIPER LLP (US)
555 Mission Street, Suite 2400
San Francisco, CA 94105-2933
Tel: 415.836.2500
Fax: 415.836.2501

Attorneys for Plaintiff Saeed J. Ibrahim

In accordance with General Order No. 45 – Electronic Case Filing, § X, I hereby attest that DLA Piper LP (US) has received concurrence in the filing of this Stipulation and Proposed Order from Joshua S. White, attorney for the City and County of San Francisco.

By: /s/ Todd C. Toral

1 Dated: September 22, 2011

SAN FRANCISCO CITY ATTORNEY OFFICES

2
3 By: /s/ Joshua S. White

4 Joshua S. White (CA Bar No. 237223)
5 Email: joshua.white@sfgov.org
6 Deputy City Attorney
7 Fox Plaza, 1390 Market Street, Sixth Floor
8 San Francisco, California 94102-5408
9 Tel: 415.554.4259
10 Fax: 415.554.3827

11 *Attorneys for Defendant City and County of San*
12 *Francisco*

13 **ORDER**

14 Plaintiff's request for leave to File a First Amended Complaint pursuant to Federal Rule
15 of Civil Procedure 15(a)(2) is GRANTED. Plaintiff shall file his First Amended Complaint no
16 later than September 30, 2011.

17 IT IS SO ORDERED.

18 Dated: 9/22/11

19
20
21
22
23
24
25
26
27
28

RICHARD SEEBORG
UNITED STATES DISTRICT JUDGE